

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
A National Broadband Plan for Our Future)	GN Docket No. 09-51
)	
Establishing Just and Reasonable Rates for Local Exchange Carriers)	WC Docket No. 07-135
)	
High-Cost Universal Service Support)	WC Docket No. 05-337
)	
Developing a Unified Intercarrier Compensation Regime)	CC Docket No. 01-92
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Lifeline and Link Up)	WC Docket No. 03-109

COMMENTS OF THE NEW JERSEY DIVISION OF RATE COUNSEL

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April 18, 2011

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The New Jersey Division of Rate Counsel (“Rate Counsel”) as an agency representing New Jersey consumers and as a member of NASUCA hereby provides brief comments in response to the Federal Communications Commission (“FCC” or “Commission”) Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking (“NPRM”), FCC 11-13 (rel. February 9, 2011). These comments cover all but Section XV of the NPRM.

Rate Counsel fully supports the comment filed today by National Association of State Utility Consumer Advocates in this proceeding. In addition, Rate Counsel incorporates the comments and reply comments previously filed by Rate Counsel in the following dockets identified in Exhibit A hereto.

Rate Counsel submits that Universal Service Reform and Intercarrier Compensation reform is long overdue. Reform can only be done after first addressing and completing separations reform. Separation reform has been in limbo since 2001. The current system where states like New Jersey are net payers to USF support and receive de minimus support threatens the affordability of service to New Jersey consumers. Based upon the 2010 USAC Annual Report that breaks down high cost ("HC") support for ILECs and CETCs on a state by state basis, New Jersey received only \$1.5 million in support out of \$4.3 billion in support provided to all states. The FCC's proposal for reverse auctions to address unserved areas is simply not in the public interest and the FCC should instead focus on using a civilian agency procurement process set forth in the Federal Acquisition Regulations to contract for build out of broadband networks unserved areas and for operation of such networks. Rate Counsel also submits that any intercarrier compensation reform should not be based upon consumers bearing the cost of reform through increases in the Subscribe Line Charge.

In conclusion, USF reform and ICC reform should be done now and not delayed but such reform must be consistent with the positions taken by Rate Counsel in previously filed comments and in the comments filed today by NASUCA.

Respectfully submitted,

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Exhibit A

Comments and Reply Comments filed by Rate Counsel and incorporated by Reference.

<u>Proceeding Number</u>	<u>Name of Filer</u>	<u>Date Received</u>	<u>Type of Filing</u>
GN <u>09-51</u>	NJ Division of Rate Counsel	12/22/2009	Comments
GN <u>09-51</u>	NJ Division of Rate Counsel	12/7/2209	Comments
GN <u>09-51</u>	NJ Division of Rate Counsel	9/4/2009	Comments
GN <u>09-51</u>	NJ Division of Rate Counsel	6/8/2009	Comments
GN <u>09-51</u>	NJ Division of Rate Counsel	8/10/2010	Reply Comments
WC <u>03-109</u>	NJ Division of Rate Counsel	11/28/2008	Comments
WC <u>03-109</u>	NJ Division of Rate Counsel	9/10/2007	Comments
WC <u>03-109</u>	NJ Division of Rate Counsel	8/24/2007	Comments
WC <u>03-109</u>	NJ Division of Rate Counsel	12/18/2008	Reply Comments
WC <u>05-337</u>	NJ Division of Rate Counsel	1/28/2010	Comments
WC <u>05-337</u>	NJ Division of Rate Counsel	5/7/2009	Comments
WC <u>05-337</u>	NJ Division of Rate Counsel	11/26/2008	Comments
WC <u>05-337</u>	NJ Division of Rate Counsel	6/2/2008	Comments
WC <u>05-337</u>	NJ Division of Rate Counsel	4/16/2008	Comments
WC <u>05-337</u>	NJ Division of Rate Counsel	6/13/2007	Comments
WC <u>05-337</u>	NJ Division of Rate Counsel	5/31/2007	Comments

WC <u>05-337</u>	NJ Division of Rate Counsel	1/28/2010	Comments
WC <u>05-337</u>	NJ Division of Rate Counsel	8/10/2010	Reply Comments
WC <u>05-337</u>	NJ Division of Rate Counsel	12/16/2008	Reply Comments
CC <u>96-45</u>	NJ Division of Rate Counsel	5/7/2009	Comments
CC <u>96-45</u>	NJ Division of Rate Counsel	11/28/2008	Comments
CC <u>96-45</u>	NJ Division of Rate Counsel	6/13/2007	Comments
CC <u>96-45</u>	NJ Division of Rate Counsel	12/18/2008	Reply Comments
WC <u>10-90</u>	NJ Division of Rate Counsel	8/10/2010	Reply Comments
CC <u>01-92</u>	NJ Division of Ratepayer Advocate	7/20/2005	Comments
CC <u>01-92</u>	NJ Division of Ratepayer Advocate	5/23/2005	Comments
CC <u>01-92</u>	NJ Division of Rate Counsel	11/28/2008	Comments
CC <u>01-92</u>	NJ Division of Rate Counsel	4/12/2007	Comments
CC <u>01-92</u>	NJ Division of Rate Counsel	3/19/2007	Comments
CC <u>01-92</u>	NJ Division of Rate Counsel	2/1/2007	Comments
CC <u>01-92</u>	NJ Division of Rate Counsel	1/3/2007	Comments
CC <u>01-92</u>	NJ Division of Rate Counsel	12/06/2006	Comments
CC <u>01-92</u>	NJ Division of Rate Counsel	10/24/2006	Comments